

REMARKS/ARGUMENTS

1. Applicant takes notice that the Examiner has accepted the drawings submitted with this application.
2. Claim Status: claims 1-10 are pending in this application; claims 1-4 and 8-10 are allowed, and claims 5-7 are rejected.
3. Claim Action Hereunder: Claims 5 and 6 are amended to overcome the present rejections, and claim 7 is hereby cancelled in the application. Claims 1-6 and 8-10 are now in condition for allowance and applicant therefore respectfully requests that a timely Notice of Allowance be issued in this application.
4. Explanation: It is clear that Surface et al does not teach a strap such as shown in instant Fig. 1, element 28 that has three means for attachment, one at the top of the umbrella (22), another at the tip of one of the ribs of the umbrella (24), and a third (70) for engaging the tie line (50). Surface et al does not speak of a tie line, much less provide any utility for attachment to such a line. Clearly, Surface et al fails to teach any means for preventing the umbrella from being blown to one side by the wind. The present invention, in providing three attachment elements distinguishes over Surface et al in a manner that is both novel and non-obvious since Surface et al does not anticipate any guy line or tie rope. Visco teaches a canopy-type shelter with spaced apart tabs each having an eyelet, and teaches that such may be guyed to a ground stake. However, the combination of the Surface et al apparatus with the Visco apparatus does not teach a separable or separate strap with the ability to engage at three points as described above, and does not teach the combination of a separate strap with a guy line that has the utility to be engaged with any umbrella to enable such an umbrella to withstand wind pressures. Even if one were to provide the tabs with eyelets of Visco on the apparatus of Surface et al, where, following the teaching of Visco, the tabs would be sewn to the canopy of Surface et al, one would fail to provide the present invention and its benefits of being applicable to umbrellas of different sizes, and forming a support to resist side winds. It is noted that Surface et al does not intent to guy his apparatus to the ground. The function of the several lines is to support the vertical shade fabric hanging from the periphery of the umbrella.

Respectfully submitted,



Gene Scott, Reg. No.: 37,930

Patent Law & Venture Group
3140 Red Hill Avenue, Suite. 150
Costa Mesa, CA 92626-3440
Telephone: Phone: (714) 668-1900



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A handwritten signature in black ink that appears to read "Gene Scott".

Gene Scott